

## **REMARKS**

In response to the above Office Action, claim 1 has been amended to limit the transition metal to chromium (see former claim 19), to limit the ligand to  $(R^1)(R^2)A-B-C(R^3)(R^4)$ , to limit A and C to phosphorus, and to define the  $R^1$  to  $R^4$  groups as set forth in claims 2-5, which claims have been cancelled. Claim 1 has also been amended to include the transitional phrase "comprising."

In addition, claim 7 has been amended and claims 10 and 11 cancelled to avoid the rejection of these claims under 35 U.S.C. §112, second paragraph. Withdrawal of the §112 rejection is therefore requested.

Conforming amendments have been made to dependent claims and the indefinite phrase "such as" deleted from claim 25.

Finally, support for new claim 37 can be found on page 6, lines 9-12 of the specification.

In the Office Action, the Examiner rejected claims 1, 5-7, 15, 16 and 18-35 under 35 U.S.C. §102(b) for being anticipated by U.S. Patent No. 4,668,838 to Briggs. Now that claim 1 includes, inter alia, the subject matter of claim 2, it is believed this rejection is moot.

Claims 1-6, 10-13 and 15-35 were also rejected under 35 U.S.C. §103(a) for being obvious over Dixon et al. (WO 03/053891) and its U.S. counterpart 2005/0119516, hereafter Dixon.

However, Dixon does not teach or even remotely suggest the presence of at least two or more aromatic or hetero-aromatic groups in the P atoms which contain non-polar substituents in the ortho position as now set forth in amended claim 1.

Accordingly, it is submitted that neither claim 1 nor claims 6, 13, 15-17 or 20-35 dependent therefrom can be considered to be obvious over Dixon.

While the Examiner rejected claim 36 over Dixon or Briggs in view of Wass, Wass does not teach what is missing in Dixon or Briggs. Since this claim depends from claim 1, it is believed it is not obvious for the same reasons expressed above with respect to claim 1.

Applicants appreciate the Examiner's indication that the subject matter of claims 8, 9 and 14 are free of the prior art. However, in view of the amendments to claim 1, it is submitted that it and claims 6, 7, 13, 15-17 and 20-37 are also now free of the cited prior art. Allowance of claims 1, 6-9, 13-17 and 20-37 is therefore requested.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 21, 2008

By: 

Arthur S. Garrett  
Reg. No. 20,338  
Tel: 202-408-4091